

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JEFFREY VAN KUREN, }
Petitioner, }
v. } Civil Action No. 04-1 Erie
UNITED STATES BUREAU OF PRISONS, }
Respondent. }

MEMORANDUM ORDER

This habeas corpus action was received by the Clerk of Court on January 5, 2004, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 7], filed on August 25, 2006, recommended that Petitioner's Petition be dismissed as moot. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail and on Respondent. No objections were filed. After de novo review of the petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 13th day of September, 2006;

IT IS HEREBY ORDERED that the Petitioner's Petition for Writ of Habeas Corpus is DISMISSED as moot.

The Report and Recommendation [Doc. No. 7] of Magistrate Judge Lenihan, filed on August 25, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Lisa Pupo Lenihan, U.S. Magistrate Judge